

**IN THE CLAIMS**

The following is a complete listing of claims with a status identifier in parenthesis. The revisions to claims 7, 8, 11 and 12 below are to correct informalities and are unrelated to the patentability of the claims.

**LISTING OF CLAIMS**

1. (Currently Amended) A method for maximizing the throughput of Transmission Control Protocol/Internet Protocol (“TCP/IP”) data comprising the steps of:

estimating delay and rate variances associated with at least one wireless link;

modifying a receive window value of an acknowledgment packet based on the estimates; and

transmitting a modified acknowledgment packet containing the modified receive window value to a source of TCP/IP data.

2. (Original) The method as in claim 1 further comprising the steps of:  
receiving the modified acknowledgement packet;  
comparing the receive window value within the modified acknowledgement packet to a congestion window value;  
selecting the lesser of the receive window value and congestion window value; and  
transmitting an amount of data toward the wireless link based on the selected value.

3. (Original) The method as in claim 1 wherein the receive window value comprises a number of packets.

4. (Original) The method as in claim 3 wherein the number of packets is substantially within the range of 1 kilobyte to 64 kilobytes.

5. (Previously Presented) The method as in claim 1 further comprising:

determining whether a data buffer is substantially close to empty;

determining whether the delay and rate variances have substantially changed; and

storing one or more ACKs when said buffer is not substantially close to empty or when said variances have not substantially changed.

6. (Previously Presented) The method as in claim 5 further comprising modifying the receive window value of an ACK packet when said buffer is substantially close to empty or when said variances have substantially changed; and

transmitting the modified ACK packet containing the modified receive window value to a source of TCP/IP data when said buffer is substantially close to empty or when said variances have substantially changed.

7. (Currently Amended) A system for maximizing the throughput of Transmission Control Protocol/Internet Protocol (“TCP/IP”) data comprising a radio network controller (RNC) ~~for operable to:~~

estimating [[estimate]] delay and rate variances associated with at least one wireless link;

modifying [[modify]] a receive window value of an acknowledgment packet based on the estimates; and

transmitting [[transmit]] a modified acknowledgment packet containing the modified receive window value to a source of TCP/IP data.

8. (Currently Amended) The system as in claim 7 further comprising a data source for ~~operable to:~~

receiving [[receive]] the modified acknowledgement packet;  
comparing [[compare]] the receive window value within the modified acknowledgement packet to a congestion window value;  
selecting [[select]] the lesser of the receive window value and congestion window value; and

transmitting [[transmit]] an amount of data toward the wireless link based on the selected value.

9. (Original) The system as in claim 7 wherein the receive window value comprises a number of packets.

10. (Original) The system as in claim 9 wherein the number of packets is substantially within the range of 1 kilobyte to 64 kilobytes.

11. (Currently Amended) The system as in claim 7, wherein the radio network controller further operable-to:

determines [[determine]] whether a data buffer is substantially close to empty;

determines [[determine]] whether the delay and rate variances have substantially changed; and

stores [[store]] one or more ACKs when said buffer is not substantially close to empty or when said variances have not substantially changed.

12. (Currently Amended) The system as in claim 11, wherein the radio network controller further operable-to:

modifies [[modify]] the receive window value of an ACK packet when said buffer is substantially close to empty or when said variances have substantially changed; and

transmits [[transmit]] the modified ACK packet containing the modified receive window value to a source of TCP/IP data when said buffer is substantially close to empty or when said variances have substantially changed.